

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

TERESITA OLOARTE, et al.,	§	
	§	
Plaintiffs,	§	
	§	CIVIL ACTION NO. G-05-576
v.	§	
	§	
PARKER DRILLING COMPANY, et al.,	§	
	§	
Defendants.	§	

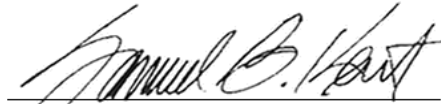
**ORDER GRANTING THIRD-PARTY DEFENDANT LANDMARK AMERICAN
INSURANCE COMPANY’S MOTION TO DISMISS**

This case arises out of the death of Fermin Alcantara Hernandez when he fell down a hole while power washing aboard RIG 72-B. Hernandez’s wife sued Parker Drilling Company (“Parker”) to receive benefits under the Longshore and Harbor Workers’ Compensation Act. Parker filed a Third-Party Complaint against Eagle Industrial Equipment Inc. (“Eagle”) and Landmark American Insurance Company (“Landmark”). Eagle was dismissed from this case for lack of personal jurisdiction. Landmark now moves for dismissal due to the absence of an indispensable party, namely, Eagle. Third-Party Plaintiff, Parker, filed a Notice of Non-Opposition to Landmark’s Motion. Accordingly, Landmark’s Motion is **GRANTED**, and all claims asserted against it by Parker are **DISMISSED WITHOUT PREJUDICE**. A Final Judgment will be issued in due course. All taxable costs, expenses, and attorneys’ fees shall be borne by Party incurring same.¹

IT IS SO ORDERED.

¹The Court does not consider this Order worthy of publication. Accordingly, it has not requested and does not authorize publication.

DONE this 24th day of May, 2006, at Galveston, Texas.



Samuel B. Kent
United States District Judge